

Nays—13.

Colquitt.	McKinney.
Darwin.	Presler.
Gage.	Rogers.
Greer.	Smith.
Harrison.	Steele.
Lewis.	Tips.
McComb.	

Paired.

Yea.	Nay.
Simpson.	Boren.
	Absent, excused.
Atlee.	Dean.
	Absent, not excused.
Bailey.	Sherrill.

Senator Greer moved to postpone further consideration of the bill and make it special order for next Monday after call and from day to day.

Senator Crowley moved to table the motion to postpone.

Tabled.

The motion to substitute the minority report for that of the majority was then adopted by the following vote:

Yeas—16.

Agnew.	Lewis.
Beall.	McKinney.
Bowser.	Presler.
Crowley.	Shelburne.
Dibrell.	Stafford.
Dickson.	Steele.
Goss.	Whitaker.
Lawhon.	Woods.

Nays—10.

Colquitt.	McComb.
Darwin.	Rogers.
Gage.	Sherrill.
Greer.	Smith.
Harrison.	Tips.

Paired.

Yea.	Nay.
Simpson.	Boren.
	Absent, excused.
Atlee.	Dean.
	Absent, not excused.
Bailey.	

Senator Crowley moved to reconsider the vote by which the minority report was adopted in lieu of that of the majority, and to lay same on the table.

Tabled.

(Lieutenant Governor Jester in the chair.)

Senator Bowser moved to suspend regular business and take up Senate bill No. 1.

Lost by the following vote:

Yeas—9.

Bowser.	Presler.
Darwin.	Rogers.
Greer.	Shelburne.
Lawhon.	Smith.
Lewis.	

Nays—15.

Agnew.	McKinney.
Beall.	Sherrill.
Colquitt.	Simpson.
Dickson.	Stafford.
Gage.	Steele.
Goss.	Tips.
Harrison.	Woods.
McComb.	

Absent—excused.

Atlee.	Dean.
Boren.	
	Present, not voting.
Crowley.	Dibrell.
	Absent, not excused.
Bailey.	Whitaker.

UNFINISHED BUSINESS.

The Chair laid before the Senate, Senate bill No. 95, being a bill to be entitled "An act to provide for all lands heretofore or hereafter surveyed and set apart for the benefit of the public free schools, the University and the several asylums, and the lease of such lands, and of the public lands of the State, and the patenting of any part of said lands for church, cemetery or school house sites, and to prevent the free use, occupancy, unlawful enclosure, or unlawful appropriation of such lands, and to prescribe and provide adequate penalties therefor."

Senator Lawhon moved to postpone consideration till next Tuesday after call, and make same special order for that hour.

Lost.

(President Pro tem. Lewis in the chair.)

By Senator Presler:

Amend section 4, in line 5, by adding after the word "and" and before the word "interest," the following, "one-half of the," making the sentence as amended read, "and in such case shall be entitled to have all the payments of principal and one-half of the interest which he has previously made on said land."

Pending action, on motion of Senator Shelburne. Senate adjourned till 10 a. m. tomorrow.

THIRTY-NINTH DAY.

Senate Chamber,

Austin, Texas, February 22, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.	Gage.
Bailey.	Goss.
Beall.	Greer.
Bowser.	Harrison.
Colquitt.	Lawhon.
Darwin.	McComb.
Dean.	McKinney.
Dibrell.	Rogers.
Dickson.	Shelburne.

Sherrill.	Steele.
Simpson.	Tips.
Smith.	Whitaker.
Stafford.	Woods.

	Absent, excused.
Atlee.	Boren.

	Absent, not excused.
Crowley.	Presler.
Lewis.	

Prayer by the Chaplain, Dr. Smoot.
Pending reading of the Journal of yesterday,

On motion of Senator Whitaker, same was suspended.

On motion of Senator Greer, Senator Presler was excused indefinitely on account of sickness in his family.

On motion of Senator McKinney, Senator Colquitt was excused for tomorrow on account of important business.

PETITIONS AND MEMORIALS.

By Senator Woods:
Protest of many citizens of Grayson county against the "venue bill."

Read and referred to Judiciary Committee No. 1.

By Senator Bowser:
Petition from voters and taxpayers of the county of Dallas, protesting against the passage of the "Rogers street car bill."

Read and referred to Committee on Internal Improvements.

By Senator Bowser:
Petition from citizens, urging the passage of the "Bowser bill," providing that contracts made by the citizens of this State with building and loan associations organized in other States, where the building and loan association has its main office and is organized, or under the laws of this State, as the contract may provide.

Read and referred to Judiciary Committee No. 1.

By Senator Sherrill:
Protest of citizens of Hunt county against the passage of the "venue bill."

Read and referred to Judiciary Committee No. 1.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, Feb. 21, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 197, being a bill to be entitled "An act to sanction, ratify and confirm the title of the Texas and New Orleans Railroad company, and to all the corporate rights, franchises and privileges of the Sabine and East Texas Railway company, and to authorize the Texas and New Orleans Railroad company to purchase, own, possess and operate the railroad, and to purchase, own and exercise all the corporate rights, franchises and privileges of the Louisiana Western Extension Railroad company, and to au-

thorize said Texas and New Orleans Railroad company to own and operate said Sabine and East Texas Railway and said Louisiana Western Extension railroad as parts of its lines,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 182, being a bill to be entitled "An act to extend for the period of one year the time in which private domestic corporations heretofore chartered under the laws of this State, and foreign corporations that have heretofore received a permit to do business under the laws of this State, may pay the franchise tax assessed against them for the year ending April 30, 1895,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 183, being a bill to be entitled "An act to restore and revive the charters of private and domestic corporations chartered under the laws of the State of Texas, which have from failure to pay their annual franchise taxes or for other cause, lapsed or been declared forfeited by the Secretary of State,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 187, being a bill to be entitled "An act to amend an act entitled 'An act amendatory of article 3112 of title 58 of an act to adopt and establish the Revised Civil Statutes of the State of Texas, passed by the Sixteenth Legislature of the State of Texas, 1879, which act was passed by the Seventeenth Legislature of the State of Texas and approved April 4, 1881; and to amend article 3114 of chapter 58 of the Revised Civil Statutes of the State of Texas; and to repeal article 3120 of title 58 of the Revised Civil Statutes of the State of Texas, and 3122 of an act entitled an act to amend title 58 of the Revised Civil Statutes of the State of Texas,' which act

was passed by the Sixteenth Legislature of the State of Texas, and approved April 22, 1879, relating to the issuance of distress warrants."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Amend by striking out the words "due and," in article 3112, in line 5, after the word "or," and before the word "payable."

SMITH, Chairman.

Committee Room,

Austin, Texas, February 21, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 11, being "An act to regulate assignments for the benefit of creditors, to declare what acts shall operate as such assignments, and to prescribe rules for administering the same, and to provide penalties for the violation of this act, and to repeal an act entitled 'An act in relation to assignments for the benefit of creditors; to regulate the same and proceedings thereunder,' approved March 24, 1879, and to repeal an act entitled 'An act to amend sections 3, 6 and 10 of an act in relation to assignments for the benefit of creditors and to regulate the same and proceedings thereunder,' approved March 24, 1879, approved April 7, 1883, and to repeal all laws and parts of laws in conflict herewith,"

And find the same correctly engrossed.

COLQUIT, Acting Chairman.

Committee Room,

Austin, Texas, February 21, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Internal Improvements, to whom was referred

Senate bill No. 204, being a bill to be entitled "An act to authorize and empower the Houston East and West Texas Railway Company to lease and to operate, maintain and control under lease, the Houston and Shreveport Railroad, situated in the State of Louisiana, and extending from the State boundary line at Logansport, Louisiana, thence through the parishes of De Soto and Caddo, into the city of Shreveport in said State,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

M'KINNEY, Chairman.

Committee Room,

Austin, Texas, February 21, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Internal Improvements, to whom was referred

Senate bill No. 199, being a bill to be entitled "An act to amend section 2

of an act entitled 'An act to define franchises; to make public the value of railroads; to make effective section 6, article 12, of the Constitution of the State of Texas; to declare the effect of judicial and other sales of railroads; to limit the amount of stocks and bonds and other indebtedness that may be issued by railroad companies, and to regulate the manner of issuing, registering and securing the same; to prescribe penalties for violating the provisions of this act, and to prescribe the duties of the Railroad Commission and the Attorney General in relation thereto,' approved April 8, 1893."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that the committee substitute in lieu of the original bill, which is hereto attached, do pass, and that the original bill be not printed.

M'KINNEY, Chairman.

HOUSE MESSAGE.

House of Representatives,

Austin, Texas, February 22, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has passed the following bills, to wit:

House bill No. 432, "An act to amend sections 1 and 3 of an act entitled 'An act to permit the State Firemen's Association to erect a monument in the capitol grounds in the city of Austin,' approved March 28, 1883." Passed by two-thirds vote—ayes 102, nays none.

Substitute House bills Nos. 114 and 239, "An act to prohibit the owners, lessees, renters, or any firm or association of persons, or corporations, or their agent, keeping any pool or billiard table for public amusement from permitting any male person under twenty-one years of age to play at any game on either of said tables, and prescribing the punishment therefor."

Respectfully,

CHESTER HAILE,

Chief Clerk House of Representatives.

BILLS AND RESOLUTIONS.

By Senator Dibrell:

A bill to be entitled "An act to amend sections 1 and 7 of chapter 62, of the acts of the Twenty-third Legislature of the State of Texas, approved April 28, 1893, and entitled 'An act to create a more efficient road system in the county of Guadalupe; and auxiliary thereto to provide for the appointment of road overseers; to define the powers and jurisdiction of the commissioners court with regard thereto; to utilize the labor of county convicts and defaulting poll tax payers on the public roads of said county, and to provide adequate penalties for the violation of the provisions of this act.'"

Read first time and referred to Committee on Roads and Bridges.

By Senator Agnew:

"An act to amend article 376 of the Revised Civil Statutes of the State of Texas, providing for a lien in favor of the city for constructing sidewalks, and for the enforcement of such lien."

Read first time and referred to Judiciary Committee No. 1.

By Senator Sherrill:

Concurrent resolution providing for adjournment of the Twenty-fourth Legislature sine die on Thursday, March 28, 1895.

Be it resolved by the Senate, the House concurring, That the Twenty-fourth Legislature of the State of Texas stand adjourned sine die on Thursday, March 28, 1895, at 12 o'clock m.

Senator Shelburne moved the adoption of the resolution.

Senator Steele moved as a substitute to refer it to Committee on State Affairs.

Lost.

The resolution was then adopted by the following vote:

Yeas—17.

Agnew.	McComb.
Bailey.	McKinney.
Beall.	Rogers.
Colquitt.	Shelburne.
Darwin.	Sherrill.
Dean.	Simpson.
Gage.	Whitaker.
Greer.	Woods.
Lawhon.	

Nays—9.

Bowser.	Smith.
Dibrell.	Stafford.
Dickson.	Steele.
Goss.	Tips.
Harrison.	

Absent, excused.

Atlee.	Presler.
Boren.	

Absent, not excused.

Crowley.	Lewis.
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Senator Simpson entered a motion to reconsider the vote passing the resolution.

Call concluded.

Senator Greer called up

House concurrent resolution No. 17:

Resolved by the Senate and House of Representatives, both concurring, That on and after Tuesday, February 26, 1895, only morning sessions be held by Senate and House for the period of fifteen days; that the committee appointed to redistrict the State, including seven senators and thirteen Representatives, be excused in the afternoon from other committee work and other duties, so as to enable them to perform the work assigned them, And moved its adoption.

Adopted.

Senator Bowser moved to suspend regular order and take up

House bill No. 47, "An act to protect persons, associations and unions of working men, incorporated or unincorporated, in their labels, trademarks and forms

of advertising and names, and to prescribe penalties for violation of same, and to repeal all laws or parts of laws in conflict with this act."

Lost by the following vote:

Yeas—7.

Bowser.	Shelburne.
Dean.	Smith.
Harrison.	Stafford.
Rogers.	

Nays—14.

Agnew.	McKinney.
Beall.	Sherrill.
Colquitt.	Simpson.
Dibrell.	Steele.
Dickson.	Tips.
Gage.	Whitaker.
Lawhon.	Woods.

Present, not voting.

Darwin.	Greer.
Goss.	McComb.

Absent, excused.

Atlee.	Presler.
Boren.	

Absent, not excused.

Bailey.	Lewis.
Crowley.	

On motion of Senator Tips, Senate bill No. 32, being a bill to be entitled "An act to amend articles 4592, 4603, 4604, 4605 and 4606 of the Revised Civil Statutes of the State of Texas,"

Was made special order for Wednesday next after call.

Senator Colquitt moved to suspend regular order and take up,

Senate bill No. 149, being a bill to be entitled "An act to provide for the collection of taxes heretofore levied and that may hereafter be levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of the lands delinquent for taxes since January 1, 1877, which may have been sold to the State or to any county, city or town, for the tax due thereon and not redeemed, or which may hereafter be sold to the State, or to any county, city or town, to satisfy the lien thereon."

Carried.

Bill read third time.

By Senator Colquitt:

Amend the caption, in line 4, by striking out "1877" and inserting in lieu thereof "1880," and conform the bill thereto.

By Senator Simpson:

Amend amendment by striking out "1880" and inserting "1885."

Senator Colquitt accepted the amendment.

The amendment as amended was adopted by the following two-thirds vote:

Yeas—16.

Colquitt.	Harrison.
Darwin.	Lawhon.
Dean.	McComb.
Dickson.	McKinney.
Goss.	Rogers.

Sheburne. Stafford.
Simpson. Steele.
Smith. Whitaker.

Nays—8.

Agnew. Gage.
Beall. Greer.
Bowser. Tips.
Dibrell. Woods.

Present, excused.

Sherrill.

Absent, excused.

Atlee. Presler.
Boren.

Absent, not excused.

Bailey. Lewis.
Crowley.

The bill then passed by the following vote:

Yeas—23.

Agnew. McKinney.
Bailey. Rogers.
Beall. Shelburne.
Colquitt. Sherrill.
Dean. Simpson.
Dibrell. Smith.
Dickson. Stafford.
Gage. Steele.
Goss. Tips.
Greer. Whitaker.
Lawhon. Woods.
McComb.

Nays—3.

Bowser. Harrison.
Darwin.

Absent, excused.

Atlee. Presler.
Boren.

Absent, not excused.

Crowley. Lewis.

On motion of Senator McComb,
Senate bill No. 171, being a bill to be entitled "An act to amend articles 423, 424, 425, 426, 427, 428, 429, of the Penal Code of the State of Texas, and the several acts of the legislature amendatory thereof, and adding 425a, 425b, 425c, 426a, 428a, 429a, 429b, 429c, 429d, 429e, 429f, 429g, 429h, 429i, 429j, 429k, and 429l, and to repeal all laws and parts of laws in conflict herewith,"

Was made special order for next Thursday after call, and from day to day.

IN SENATE.

House bill No. 460, "An act to suspend the forfeiture of the public free school, the University and the several asylum lands for the non-payment of the interest due thereon, and to provide for the payment thereof, and to dismiss suits pending for such forfeiture."

Read first time and referred to Committee on Public Lands

UNFINISHED BUSINESS.

The Chair laid before the Senate,

Senate bill No. 95, being a bill to be entitled "An act to provide for all lands heretofore or hereafter surveyed and set

apart for the benefit of the public free schools, the University and the several asylums, and the lease of such lands, and of the public lands of the State, and the patenting of any part of said lands for church, cemetery or school house sites, and to prevent the free use, occupancy, unlawful enclosure, or unlawful appropriation of such lands, and to prescribe and provide adequate penalties therefor."

Action being on Senator Presler's amendment, to wit:

Amend section 4, in line 5, by adding after the word "and" and before the word "interest," the following, "one-half of the," making the sentence as amended read, "and in such case shall be entitled to have all the payments of principal and one-half of the interest which he has previously made on said land."

(No action taken.)

By Senator Smith:

Amend section 9 by adding after the word "occupy" in line 24, the following: "Provided, that when a forfeiture of any claim purchased under any former law is taken, it shall be the duty of the Commissioner to ascertain from the records of the Land Office the amount of principal and interest per acre of such forfeited claim that was due and to become due at the date such forfeiture was declared, and he shall adopt such amount as the minimum price per acre that said land may be appraised at in placing the same back upon the market for sale under the provisions of this act."

(Senator Agnew in the chair.)

By Senator Goss:

Amend by striking out the words "and to become due."

After lengthy discussion and pending action,

On motion of Senator McKinney,

Senate bill No. 199, being a bill to be entitled "An act to amend section 2 of an act entitled 'An act to define franchises; to make public the value of railroads; to make effective section 6, article 12, of the Constitution of the State of Texas; to declare the effect of judicial and other sales of railroads; to limit the amount of stocks and bonds and other indebtedness that may be issued by railroad companies, and to regulate the manner of issuing, registering and securing the same; to prescribe penalties for violating the provisions of this act, and to prescribe the duties of the Railroad Commission and the Attorney General in relation thereto,' approved April 8, 1893."

Was re-committed to Committee on Internal Improvements.

On motion of Senator Bowser,

Joint resolution No. 2, being a "Joint resolution to amend article 8 of the Constitution of the State of Texas by adding to said article an additional section to be numbered 22, looking to the encouragement of manufactories in Texas."

Was made special order for Tuesday next after call and day to day.

IN SENATE.

House bill No. 432, a bill to be entitled "An act to amend sections 1 and 3 of an act entitled 'An act to permit the State Firemen's Association to erect a monument in the capitol grounds in the city of Austin,' approved March 28, 1883."

Read first time and referred to Committee on Public Buildings and Grounds.

Substitute House bills Nos. 114 and 239, a bill to be entitled "An act to prohibit the owners, lessees, renters, or any firm or association of persons, or corporations, or their agent, keeping any pool or billiard table for public amusement from permitting any male person under twenty-one years of age to play at any game on either of said tables, and prescribing the punishment therefor."

Read first time and referred to Judiciary Committee No. 1.

By Senator Sherrill:

Be it resolved by the Senate, That Senate Committee Room No. 1, and Document Room be set apart for the use of the joint committee appointed to redistrict the State into judicial districts.

Adopted.

By Senator McComb:

Whereas, This day is the anniversary of the "father of this great country," George Washington, whose glorious memory is enshrined in the hearts, not only of Americans, but of patriots elsewhere, and has been hallowed as a legal holiday in our law and civilization; therefore,

Resolved, That the Senate, in reverence to the day and the memory it recalls, do now stand adjourned until 10 o'clock Monday morning.

Adopted by the following vote:

Yeas—18.

Bailey.	McComb.
Beall.	Rogers.
Bowser.	Shelburne.
Colquitt.	Sherrill.
Dean.	Simpson.
Dibrell.	Smith.
Dickson.	Stafford.
Greer.	Whitaker.
Harrison.	Woods.

Nays—7.

Darwin.	McKinney.
Gage.	Steele.
Goss.	Tips.
Lawhon.	

Not voting (in chair.)

Agnew.	Absent, excused.
Atlee.	Presler.
Boren.	
Crowley.	Absent, not excused.
	Lewis.

FORTIETH DAY.

Senate Chamber,

Austin, Texas, Feb. 25, 1895.

Senate met pursuant to adjournment.

Senate called to order by Secretary

Pool.

13—Senate

President Pro Tem. Lewis was announced and was called to the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.	Lawhon.
Atlee.	McComb.
Bailey.	McKinney.
Beall.	Rogers.
Bowser.	Shelburne.
Colquitt.	Sherrill.
Dean.	Simpson.
Dickson.	Steele.
Gage.	Tips.
Goss.	Woods.
Greer.	

	Absent—excused.
Boren.	Presler.

Absent—not excused.

Crowley.	Lewis.
Darwin.	Smith.
Dibrell.	Stafford.
Harrison.	Whitaker.

Prayer by the Chaplain, Dr. Smoot.

Pending the reading of the Journal of the 22nd inst.,

On motion of Senator Woods, same was suspended

On motion of Senator Greer, Senator Stafford was excused from attendance today, on account of important business.

On motion of Senator Agnew, Senator Smith was excused for this week, on account of important business.

On motion of Senator Rogers, Senator Lewis was excused from non-attendance on Friday last.

On motion of Senator Beall, Senator Darwin was excused from attendance today, on account of important business.

On motion of Senator Rogers, Senator Harrison was excused from attendance today on account of important business.

PETITIONS AND MEMORIALS.

By Senator Gage:

Petitions from citizens of Callahan county, asking for passage of a law providing that contracts made by citizens of Texas with building and loan associations of other States may be construed in accordance with the laws of such other States.

Read and referred to Judiciary Committee No. 1.

By Senator McKinney:

Petition from citizens of McLennan county, protesting against the passage of the venue bill.

Read and referred to Judiciary Committee No. 1.

By Senator Goss:

Petition from citizens of Hardeman, Swisher, Briscoe, Crosby, Floyd, Hutchinson, Hall and Gray counties, asking that the rate of interest on school land sales be reduced to 2 per cent, and that the actual settler be given a preference right to lease three sections.

Read and referred to Committee on Public Lands.

By Senator Woods: